

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

**UNOPPOSED MOTION FOR
PSYCHIATRIC OR PSYCHOLOGICAL EXAMINATION**

The United States of America, by and through Acting United States Attorney Donald E. Clark, and Assistant United States Attorney Darcie N. McElwee, respectfully moves under 18 U.S.C. § 4242 and Rule 12.2(c)(1)(B) for an order directing the defendant, Stephen Pilson, to submit to a psychiatric or psychological examination and directing the preparation of a report of examination.

Pilson has provided notice under Rule 12.2(a) that he intends to assert a defense of insanity at the time of the alleged offenses. Under 18 U.S.C. § 4242(a) and Rule 12.2(c)(1)(B), upon the government's motion, the Court must order a psychiatric or psychological examination of the defendant and the preparation of a report of examination. The provisions of 18 U.S.C. § 4247(b) and (c) govern the examination and the report.

The government requests that the Court order a psychiatric or psychological examination of the defendant under 18 U.S.C. § 4242. That examination and the resulting report should include an assessment of whether Pilson was insane at the time of the offenses charged. Pilson should be committed to the custody of the Attorney General for placement in a facility suitable for the examination for a period not to exceed 45 days, with a reasonable extension as permitted by statute and authorized by the court. *See* 18 U.S.C. § 4247(b). A proposed order for the Court's consideration is attached as Exhibit 1.

Pilson's counsel, Michael B. Whipple, Esquire, has informed government counsel that Pilson does not object to the government's motion.

Dated in Portland, Maine this 15th day of July, 2021.

Respectfully submitted,

DONALD E. CLARK
ACTING UNITED STATES ATTORNEY

/s/ Darcie N. McElwee
Assistant United States Attorney

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CERTIFICATE OF SERVICE

I hereby certify that on July 15, 2021, I electronically filed this Motion for Psychiatric or Psychological Examination with the Clerk of Court using the CM/ECF system, which will send notification to the following:

Michael B. Whipple, Esq.
mwhipple@hww.law

DONALD E. CLARK
ACTING UNITED STATES ATTORNEY

/s/ Darcie N. McElwee
Assistant United States Attorney